

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
TUESDAY, FEBRUARY 18, 1992
AT 9:00 A.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:04 a.m. No quorum was present. A quorum was present at 10:05 a.m. with Council Members Roberts and Hartley not present. The meeting was recessed by Mayor O'Connor at 12:04 p.m. to reconvene at 2:00 p.m.

The meeting was reconvened by Mayor O'Connor at 2:03 p.m. with no quorum present. A quorum was present at 2:08 p.m. with Council Member Filner not present. The City Manager gave a report on the status of the Pt. Loma outfall repair. Mayor O'Connor recessed the meeting at 4:58 p.m. and reconvened at 5:09 p.m. with Council Members Hartley, Stevens and Filner not present. Mayor O'Connor recessed the meeting at 5:14 p.m. to convene the Redevelopment Agency. Mayor O'Connor reconvened the meeting at 6:38 p.m. with all Council Members present. The meeting was adjourned at 8:35 p.m. by Chair Person Wolfsheimer.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
 - (1) Council Member Wolfsheimer-present
 - (2) Council Member Roberts-present
 - (3) Council Member Hartley-present
 - (4) Council Member Stevens-present
 - (5) Council Member Behr-present
 - (6) Council Member Stallings-present
 - (7) Council Member McCarty-present
 - (8) Council Member Filner-present
- Clerk-Abdelnour (rb/ll)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present
- (3) Council Member Hartley-not present
- (4) Council Member Stevens-not present
- (5) Council Member Behr-present
- (6) Council Member Stallings-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-not present

FILE LOCATION: MINUTES

ITEM-10: INVOCATION

Invocation was given by Pastor Scott Mitchell, College
Park Presbyterian Church.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Stallings.

FILE LOCATION: MINUTES

PUBLIC COMMENT:

None.

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ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:
1/20/92 Adjourned
1/21/92
1/27/92
1/28/92

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A044-047.)

MOTION BY McCARTY TO APPROVE. Second by Wolfsheimer.
Passed by the following vote: Wolfsheimer-yea, Roberts-not
present, Hartley-not present, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-31: WELCOMED

Welcoming a group of approximately 31 students from St.
Vincent School, accompanied by their teacher, Karen
Wadginski. This group will arrive at approximately
10:30 a.m.
(District-2.)

ITEM-50: (O-92-51) CONTINUED TO MARCH 16, 1992

Amending Chapter X, Article 1, Division 4, of the San
Diego Municipal Code by amending Section 101.0445,
relating to the Airport Overlay Zone.

(District-2. Introduced as amended on 2/4/92. Council
voted 8-0. District 8 not present.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A111-121.)

MOTION BY STEVENS TO CONTINUE THE ITEM AS REQUESTED BY THE
CITY MANAGER. Second by McCarty. Passed by the following
vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-51:

Two actions relative to the Gaslamp Quarter Planned District Ordinance and the Centre City Interim Development and Design Ordinance:
(Districts-2, 3 and 8.)

(The ordinance was amended on 1/21/92 to bring liquor license, signage and sidewalk cafes under the Redevelopment Agency. Introduced on 2/3/92. Council voted 9-0.)

Subitem-A: (O-92-41 Cor. Rev.1) ADOPTED AS ORDINANCE
O-17738 (New Series)

Amending Chapter X, Article 3, Division 4, of the San Diego Municipal Code by amending Sections 103.0400, 103.0401, 103.0402, 103.0403, 103.0404, 103.0407, 103.0408, 103.0409, 103.0410, 103.0412, 103.0414 and 103.0416 all relating to the Gaslamp Quarter Planned District.

Subitem-B: (O-92-42 Cor. Rev.1) ADOPTED AS ORDINANCE
O-17739 (New Series)

Amending Ordinance O-17533 (New Series), adopted September 24, 1990, as amended by Ordinance Number O-17627 (New Series), adopted April 8, 1991, relating to the Centre City San Diego Interim Development and Design Ordinance.

FILE LOCATION: SUBITEM-A: LAND-Gaslamp Quarter Planned District;
SUBITEM-B: LAND-Centre City San Diego Interim Development and Design Ordinance

COUNCIL ACTION: (Tape location: A128-133.)

CONSENT MOTION BY FILNER TO DISPENSE WITH THE READING AND ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-100: (R-92-1081) CONTINUED TO MARCH 2, 1992

Awarding a contract to Drainage Construction, Inc. for the Construction of Point Loma Trunk Sewer; authorizing the expenditure of an additional \$99,396 from Sewer Revenue Fund 41506, CIP-44-001.0 (Annual Allocation for Sewer Main Replacement), to supplement Resolution R-278711, and reducing the amount authorized by Resolution R-278711, for CIP-22-079.0, Fund 10507, from \$18,477 to \$16,459, for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-K2656/92)

(Pacific Beach Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: On November 7, 1991, seven bids were opened for the Crown Point Sewer Replacement Project, and the low bid, submitted by Drainage Construction, Inc., was 15.4 percent higher than the engineer's estimate. Upon review of the bids, staff concluded that the engineer's unit prices for the pipe and concrete encasement were much lower than the contractor's, and the re-advertisement would not result in lower bids. Therefore, it is recommended that the low bid be accepted. Aud. Cert. 9200546.
WU-P-92-071.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A111-121.)

MOTION BY STEVENS TO CONTINUE THE ITEM AS REQUESTED BY THE CITY MANAGER. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-92-949) ADOPTED AS RESOLUTION R-279410

Accepting the sole bid of Van Waters and Rogers, Inc., and awarding a contract for ammonium sulfate, as may be required for a period of one year beginning March 1, 1992 through February 28, 1993, for a total estimated cost of \$59,500. (BID-B2818/92)

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FILE LOCATION: CONT-PURCHASE-Van Waters and Rogers, Inc.
 CONT FY92-1

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-92-961) ADOPTED AS RESOLUTION R-279411

Awarding contracts to Burns and Sons Trucking and Bud's
and Sons Trucking for furnishing rental of operated 10
yard and 20 yard capacity trucks, as may be required
for a period of one year beginning August 1, 1990
through July 31, 1991. (BID-E1642/91)

FILE LOCATION: CONT-PURCHASE-Burns and Sons Trucking and
 Bud's and Sons Trucking CONT FY92-2

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-103:

Two actions relative to the Fairmount Avenue
Realignment - Phase I:

(Webster Community Area. District-4.)

Subitem-A: (R-92-569) ADOPTED AS RESOLUTION R-279412

Inviting bids for the Fairmount Avenue Realignment -
Phase I on Work Order No. 118699; authorizing the
execution of a contract with the lowest responsible
bidder; authorizing the expenditure of an amount not to
exceed \$1,070,864 from CIP-52-182.0, Proposition A
(30300) Fund, Fairmount Avenue - Federal Boulevard to
Home Avenue, for providing funds for said project and
related costs.

(BID-K2970/92)

Subitem-B: (R-92-570) ADOPTED AS RESOLUTION R-279413

Authorizing the use of City Forces to make connections and perform operational checks involving Fairmount Avenue Realignment - Phase I; declaring that the cost of the work shall not exceed \$17,823.

CITY MANAGER SUPPORTING INFORMATION: This project is Phase I, a two phase project, identified in CIP-52-182.0, Fairmount Avenue - Federal Boulevard to Home Avenue. Phase I will widen Fairmount Avenue from Federal Blvd. to Ridgeview Dr. including a bridge over Chollas Creek.

Phase II will widen the remainder of Fairmount Ave. from Ridgeview Dr. to Home Ave. Right-of-way is now being acquired for Phase II and construction is anticipated at the end of this year. Fairmount Avenue exists as a tightly curved two-lane collector street.

The proposed street will be a four-lane collector street with Class II bike lanes. The proposed road will provide needed capacity, improved safety and will include new curbs, sidewalks, a traffic signal, street lighting, drainage improvements, bus stop improvements, landscaped fill slopes, irrigation and a new bridge over Los Chollas Creek.

Aud. Cert. 9200566.

FILE LOCATION: W.O. 118699 CONT - Daley Corporation CONT
FY92-1

COUNCIL ACTION: (Tape location: A144-156.)

MOTION BY STEVENS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-92-1082) ADOPTED AS RESOLUTION R-279414

Assigning the contract with ENGICON Corporation for construction of Sewer Pump Station No. 10, as previously authorized by Resolution R-276620, adopted on October 1, 1990, to Nielsen Construction Co.
(BID-K1784/92)

Aud. Cert. 9100219.

FILE LOCATION: CONT-Engicon Corporation CONT FY92-1

COUNCIL ACTION: (Tape location: A133-143.)
CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-92-1166) ADOPTED AS RESOLUTION R-279415

Granting an extension of time to May 6, 1992 to Pardee
Construction Company, subdivider, to complete the
improvements required for N.C.W. Neighborhood 4A, Unit
No. 4.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On August 8, 1988, the
City entered into an agreement with Pardee Construction Company
for the construction of public improvements for N.C.W.
Neighborhood 4A, Unit No. 4. The agreement expired on August 8,
1990. The subdivider has requested an extension of time to May
6, 1992 in which to complete the required improvements. The
improvements are approximately 60 percent complete.

It is recommended that the time extension be granted since the
improvements to be delayed are not necessary to serve adjacent
developments or the general public. The time extension is in
accordance with Council Policy 600-21.

FILE LOCATION: SUBD-N.C.W. Neighborhood 4A, Unit No. 4

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-92-1167) ADOPTED AS RESOLUTION R-279416

Granting an extension of time to May 6, 1992 to Pardee
Construction Contract Company, subdivider, to complete

the improvements required for N.C.W. Neighborhood 7,
Unit No. 6A.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On May 2, 1988, the City entered into an agreement with Pardee Construction Company for the construction of public improvements for N.C.W. Neighborhood 7, Unit No. 6A. The agreement expired on May 2, 1990. The subdivider has requested an extension of time to May 6, 1992 in which to complete the required improvements. The improvements are approximately 60 percent complete.

It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. The time extension is in accordance with Council Policy 600-21.

FILE LOCATION: SUB-N.C.W. Neighborhood 7, Unit No. 6A

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107:

Two actions relative to Scripps Midlands:
(Located northeasterly of I-15 and Mira Mesa Boulevard.
Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-92-1168) ADOPTED AS RESOLUTION R-279417

Granting an extension of time to August 7, 1992 to
Brehm Communities, subdivider, to complete the
improvements required for Scripps Midlands.

Subitem-B: (R-92-1169) ADOPTED AS RESOLUTION R-279418

Authorizing the City Manager to release a portion of
the surety issued by Insurance Company of the West in
the form of Performance Bond No. 113 45 60, so that the
same is reduced as follows:

1. For faithful performance, to the sum of \$687,931.

2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$343,965.50.

CITY MANAGER SUPPORTING INFORMATION: On August 7, 1989, the City entered into an agreement with Brehm Communities, a California corporation, for the construction of public improvements for Scripps Midlands. Performance Bond No. 113 45 60 issued by Insurance Company of the West in the amount of \$1,897,740 was provided by the subdivider. The agreement expired August 7, 1991.

The subdivider has requested a partial release of surety and an extension of time to August 7, 1992 in which to complete the required improvements.

Eighty-five percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public. In accordance with Council Policy 800-11 and 600-21, respectively, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 63.75 percent of the original surety will be released which will reduce the surety to \$687,931.

FILE LOCATION: SUBD-Scripps Midlands

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-92-1161) ADOPTED AS RESOLUTION R-279419

Vacating the City's interest in an unneeded building restricted easement affecting Parcel "H" of N.C.W. Neighborhood 4A, Unit 3, Map-12148, pursuant to Section 8300 et seq. of the Streets and Highways Code.

(Located northeasterly of Del Mar Heights Road and El Camino Real. Carmel Valley Community Area. District-1.)

FILE LOCATION: DEED F-5755 DEED FY92-1

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-92-1170) ADOPTED AS RESOLUTION R-279420

Authorizing the City Manager to release a portion of the surety issued by First Church of Christ, Scientist, in the form of Assignment of Security No. 0269-011973-6 issued by HomeFed Bank, so that the same is reduced as follows:

1. For faithful performance, to the sum of \$7,252.
2. For the benefit of the contractor, subcontractor and to persons renting equipment or furnishing labor or materials, to the sum of \$3,626.

(Located southeasterly of Rancho Bernardo Road and Pomerado Road. Rancho Bernardo Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: On April 24, 1991, the City issued Engineering Permit No. W-39903 for the construction of public improvements for W.O. No. 900620. Assignment of Security No. 0269-011973-6 issued by HomeFed Bank in the amount of \$19,600 was provided by the subdivider. The permit expires April 24, 1992. Eighty-four percent of the work has been completed to the satisfaction of the City Engineer, and the subdivider has requested a partial release of surety. The job order account has sufficient funds to cover anticipated future costs to the City. There are no mechanic's liens filed against the surety and there has not been a previous partial release. In accordance with Council Policy 800-11, it is recommended that the surety be reduced by an amount which is 75 percent of the value of the work completed. Therefore, 63 percent of the original surety will be released which will reduce the surety to \$7,252.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110:

Five actions relative to authorizing Suggestion Awards
to the following City employees:

Subitem-A: (R-92-1131) ADOPTED AS RESOLUTION R-279421

Daniel Hughes, Alvaro Ahumada and Brad Johnson - Water
Utilities/Production - \$702.51 (shared equally).

Subitem-B: (R-92-1132) ADOPTED AS RESOLUTION R-279422

Mikeal J. Obst - Engineering and Development, Field -
\$320.
Steven Lagos, John E. Russell and Richard L. Mange -
Water Utilities, Metro - \$317.84 (shared equally).

Subitem-C: (R-92-1133) ADOPTED AS RESOLUTION R-279423

Martin J. Kane - Water Utilities, Systems - \$300.
Stephen P. Martin - Fire, Div. C - \$160.

Subitem-D: (R-92-1134) ADOPTED AS RESOLUTION R-279424

Edna M. Carroll - Water Utilities, Production - \$160.

Subitem-E: (R-92-1135) ADOPTED AS RESOLUTION R-279425

Bernard R. Tinant - Water Utilities, Production - \$160.
William E. Basom, Jr. - Water Utilities, Production -
\$160.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-92-1163) ADOPTED AS RESOLUTION R-279426

Approving the Conflict of Interest Code for the Water Utilities Department submitted pursuant to the Political Reform Act of 1974, as amended by Amendment No. 4.

CITY MANAGER SUPPORTING INFORMATION: The Political Reform Act of 1974 (Government Code Section 87300, et. seq.) requires all agencies to prepare and submit for approval a Conflict of Interest Code to the City Council.

On April 27, 1977 Council approved the Conflict of Interest Code for the Water Utilities Department. The Conflict of Interest Code has been amended three times to reflect organization changes. This amendment again updates Exhibit A of the Code. This exhibit lists the duties and categories of those designated positions, the incumbents of which are required to submit Conflict of Interest Statements. Several organizational changes render Exhibit A obsolete. This amendment changes Exhibit A of the Code. This amendment also updates the Code itself and Exhibit B to conform to overall City policy.

The City Attorney's office has reviewed the proposed revisions to the Water Utilities Department's designated positions and has determined that they conform to the standards set by the Fair Political Practice Commission (FPPC). Employees filling new positions designated as having potential conflicts of interest were afforded the opportunity to review and comment on this amendment.
WU-U-92-096.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-112: (R-92-1127) ADOPTED AS RESOLUTION R-279427

Authorizing the City Manager to reimburse the water and sewer capacity charges incurred for the St. Vincent de

Paul Joan Kroc Center in connection with construction of a restroom addition;

authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$13,294.50 from Community Development Block Grant Fund 18527/Department 4014, Organization 1401, to Community Development Block Grant Fund 18527/Department 4013/Organization 1311;

authorizing the expenditure of an amount not to exceed \$13,294.50 from Community Development Block Grant Fund 18527/Department 4013/Organization 1311, for the purpose of providing funds for this reimbursement. (See City Manager Report CMR-92-37. District-8.) Aud. Cert. 9200535. WU-U-92-049.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A158-187.)

MOTION BY STEVENS TO ADOPT WITH A CONDITION THAT THE RESTROOMS CONTINUE TO BE AVAILABLE TO THE PUBLIC. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-113: (R-92-1159) CONTINUED TO MARCH 2, 1992

Authorizing the expenditure of an amount not to exceed \$20,000 from CIP-73-230.0 (Annual Allocation - Various Lakes) to supplement the funding previously authorized by the Council in Resolution R-276682, adopted on October 15, 1990, in connection with the Lake Hodges Concession Building; authorizing the City Auditor and Comptroller to transfer excess budgeted funds, if any, to the appropriate reserves upon advice of the administering department. (San Pasqual/Lake Hodges and San Dieguito River Basin Community Areas. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On October 15, 1990, pursuant to Resolution R-276682 and R-276683, Council approved the plans and specifications and authorized for bids for the construction of the Lake Hodges Concession Building. This project will replace a temporary trailer utilized as a concession bait/sales building to meet recreational demands at Lake Hodges.

Construction began October 21, 1991, and has an expected date of completion in the latter half of February, 1992. Due to unforeseen requirements set forth by the County Health Department, additional construction items are necessary to pass inspection. Therefore, additional funds are required to provide for these items which were not originally addressed on the construction drawings.

Aud. Cert. 9200574.

WU-U-92-093.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A189-197.)

MOTION BY BEHR TO CONTINUE TWO WEEKS, MARCH 2, 1992, FOR A REPORT FROM THE CITY MANAGER REGARDING OVERRUNS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-114: (R-92-916 Rev.2) ADOPTED AS AMENDED AS
RESOLUTION R-279428

Authorizing City Manager to execute a second amendment to the agreement of December 10, 1990 with U.S. Cost Inc., for value engineering services required for the City's South Subsystem Projects; authorizing the City Auditor and Comptroller to transfer the amount of \$576,814, consisting of \$149,719 from CIP-42-910.3; \$43,053 from CIP-42-910.6; \$43,053 from CIP-42-910.5; \$20,740 from CIP-40-911.1; \$20,740 from CIP-46-144.0; \$20,740 from CIP-40-911.3; \$67,802 from CIP-40-910.1; \$10,046 from CIP-40-910.4; \$22,385 from CIP-40-910.6; \$77,828 from CIP-42-910.0; \$23,158 from CIP-40-910.5; \$16,002 from CIP-40-910.0; \$61,548 from CIP-46-154.0, all to CIP-45-910.3; authorizing the expenditure of an amount not to exceed \$643,193 from CIP-45-910.3, solely and exclusively to provide funds for this amendment. (Districts-2 and 8.)

CITY MANAGER SUPPORTING INFORMATION: On December 10, 1990, the City entered into an agreement with U.S. Cost, Inc. for Value Engineering Services on the Pre-design (10 percent Design Level) for the South Subsystem. When the consultant was selected for Value Engineering (VE Services), it was intended that they would provide VE Services for both pre-design packages and detailed design packages. At the time of the original agreement, only

Stage I pre-design packages were defined to the point that a VE scope of work could be developed.

Therefore, the original agreement provided for only the VE Services for Stage I pre-design packages with the intent that VE Services for Stage 2 pre-design packages and Stage I detailed design packages would be incorporated into the agreement significantly greater than that required for a pre-design package due to the complexity and greater design detail that must be reviewed. The proposed amendment will provide Value Engineering Services for Stage I, Detailed Designs at the 30 percent and 60 percent Design Level; and Stage 2, Pre-designs as listed in the agreement. The Clean Water Program requires Value Engineering Services to complete design and pre-design projects for the South Subsystem. Contract designers will prepare 4 design, and 2 pre-design packages. Additionally, the City will assist the International Boundary and Water Commissions (IBWC) to perform Value Engineering Services for two IBWC projects; South Bay Outfall and the International Wastewater Treatment Plant.

- Exhibit "A" describes the general Scope of Work for U.S. Cost, Inc.
- Attachment No. 1 to Exhibit "A" identifies the number of value Engineering Workshops with Associated Projects.
- Attachment No. 2 to Exhibit "A" provides Workshop descriptions.
- Exhibit "B" describes the Schedule of Work/Deliverables.
- Exhibit "C" provides Progress Payment Schedules.

MBE/WBE Participation for amendment No. 2 of the agreement with U.S. Cost, Inc. is 17.5 percent MBE and 3.0 percent WBE.
Aud. Cert. 9200585.
WU-CWP-92-077.

FILE LOCATION: MEET CCONT FY92-1

COUNCIL ACTION: (Tape location: A200-542.)

MOTION BY FILNER TO ADOPT AS AMENDED APPROVING THE PROJECT BUT DELAYING THE SOUTH BAY SEWERS AND THE SOUTH BAY TREATMENT COMPLEX. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

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ITEM-150: (R-92-419) ADOPTED AS AMENDED AS RESOLUTION
R-279429

Formally recognizing a community planning group for the community of East Elliott by approval of bylaws and initial membership.

(See Planning Report PDR-91-283. East Elliott Community Area. District-7.)

COMMITTEE ACTION: Reviewed by RULES on 1/15/92. Recommendation to approve the formation of the East Elliott Planning Group with amendments to the proposed bylaws. Districts 1, 2, and 7 voted yea. District 8 and Mayor not present.

FILE LOCATION: GEN'L-East Elliott Planning Group

COUNCIL ACTION: (Tape location: A565-B396.)

MOTION BY McCARTY TO ADOPT AS AMENDED, APPROVING THE PLANNING GROUP WITH A REVISION TO THE BYLAWS, CHANGING THE WORDING FROM "WOULD" TO "SHALL." REFER THE QUESTION OF FINANCING BACK TO THE CITY MANAGER. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-200: (R-92-1183) ADOPTED AS RESOLUTION R-279430

Council confirmation of the following appointments by the Mayor to serve as members of the Citizens Advisory Board on Police/Community Relations, representing Council districts and groups as shown, for terms ending January 1, 1993:

(See memorandum from Mayor O'Connor dated 2/5/92.)

Jerome Hunter (Council District 5)
(To replace Cheryl Carroll, who has resigned.)

Clarence E. McCoy (Social Services, Corrections)
(To replace Dr. James Cabral, who has resigned.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B402-405.)

MOTION BY McCARTY TO ADOPT. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-201: (R-92-1184) ADOPTED AS RESOLUTION R-279431

Council confirmation of the appointment by the Mayor of
Marilyn Refsin Johns to serve as a member of the
International Affairs Board, replacing Mary Ann
Salaber, for a term ending March 1, 1993.
(See memorandum from Mayor O'Connor dated 2/5/92 with
resume attached.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B406-408.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-202: (R-92-1086) ADOPTED AS RESOLUTION R-279432

Authorizing the City Manager to execute Contract No. 1
for the construction of the San Pasqual Aquatic
Treatment Facility.
(District-5.)

FILE LOCATION: CONT - Western Summit Constructors, Inc.

COUNCIL ACTION: (Tape location: B409-490.)

MOTION BY BEHR TO ADOPT, APPROVING THE CITY MANAGER'S
RECOMMENDATION. Second by McCarty. Passed by the following
vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,
Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea,
Filner-not present, Mayor O'Connor-yea.

ITEM-203: REFERRED TO CITY ATTORNEY

(Continued from the meeting of February 3, 1992, Item
204, at Councilmember McCarty's request, for a report
from the City Manager.)

Submitted by the Police Officers Association:

In the matter of a proposed ballot measure, to place before the voters the question of increasing the number of police officers.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: D306-G540; K290-433.)

Motion by Hartley to approve additional police officers and approve more effective policing by implementing a "Police Partnership" program by increasing the police reserve officers to a level of 2.2 per thousand people by 1995 and direct the City Manager to return with an implementation plan for approval. Second by Mayor O'Connor. No vote.

Motion by Roberts to place this issue, as submitted by the Police Officers Association on the June, 1992 Ballot. Second by Behr. Failed by the following vote: Yea-2,5,8; Nay-1,3,4,6,7,M.

Substitute motion by Behr to direct the City Manager to prepare an ordinance and bring back for approval to adopt the police language to increase the police to 2.4 per thousand by the end of the decade with the review panel and also direct the Manager to prepare an across-the-board percentage cut other than in police and fire to fund this increase. Second by Roberts. Failed by the following vote: Yea-2,5; Nay-1,3,4,6,7,8,M.

MOTION BY HARTLEY TO APPROVE THE GOAL OF 250 VOLUNTEER AND RESERVE OFFICERS BY 1995 AND DIRECT THE CITY MANAGER TO RETURN TO COUNCIL FOR APPROVAL WITH AN IMPLEMENTATION PLAN FOR SAME. DIRECT THE CITY ATTORNEY TO COME BACK WITH ADDITIONAL LANGUAGE FOR THIS ISSUE ALONG THE LINES OF "TAX PAYERS OF CITY OF SAN DIEGO BE ENTITLED TO ONE-HALF OF THE SALES TAX REBATE BY DISTRIBUTING THAT MONEY TO THE CITY AND REQUIRING THAT ALL THE MONEY BE SPENT FOR INCREASE IN POLICE". THIS TO BE IN THE FORM OF AN ADVISORY VOTE TO THE PEOPLE LETTING THEM KNOW THE INCOME DERIVED FROM THIS MONEY BE USED FOR THIS PURPOSE ONLY. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

Motion by McCarty to direct the City Manager to come back in one week with language combining the 2.4 police per thousand and the People's Ordinance (fees for trash which would be

the funding source for this ballot measure) for approval.
Second by Roberts. Failed by the following vote:
Yea-2,5,7; Nay-1,3,4,6; Not present-8,M.

ITEM-204: CONTINUED TO MARCH 2, 1992

(Continued from the meeting of February 4, 1992, Item S500, at Councilmember Hartley's request, to allow time for the City Manager to come back with a plan for a short term solution, and a plan for addressing the long term solution.)

In the matter of the responses to the proposals outlined in the Mayor's State of the City Address, regarding Business Tax Suspension for Businesses with Ten or More Employees.
(See City Manager Report CMR-92-38.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: L-170-172.)

MOTION BY McCARTY TO CONTINUE TO MARCH 2, 1992. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-205: CONTINUED TO MARCH 2, 1992

(Continued from the meeting of February 4, 1992, Item 334, at the City Manager's request, in order to be heard with the item on Business Tax Suspension.)

In the matter of the Impact of the Business Tax Increase on the Taxicab Industry.

(See City Manager Report CMR-92-10.)

COMMITTEE ACTION: Reviewed by RULES on 1/15/92. Referred to the full City Council without a recommendation. Districts 1, 2 and 7 voted yea. District 8 and Mayor not present.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: L170-172.)

MOTION BY McCARTY TO CONTINUE TO MARCH 2, 1992. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-206: TRAILED TO FEBRUARY 24, 1992, DUE TO LACK OF TIME

(Continued from the meeting of February 4, 1992, Item S503, at Councilmember Behr's request, for further review with the attorney's office.)

In the matter of the continued discussion of the Council Committee System, including possible adoption of the following Resolutions:

Subitem-A: (R-92-1225)

Establishing Temporary Rules of the Council which shall be in full force and effect until December 7, 1992 unless made permanent by enactment of an ordinance; declaring that these Temporary Rules supersede the Permanent Rules of the Council established by Section 22.0101 of the San Diego Municipal Code until December 7, 1992 unless made permanent by enactment of an ordinance.

Subitem-B: (R-92-1227)

Creating the following Focus Committees to be effective until December 7, 1992 or for a period of 18 months from adoption of this resolution if the temporary rules are extended or made permanent by adoption of an ordinance.

Focus Committee on Economic Development and on Neighborhood Policing Subject areas:

Economic Development Task Force Report Neighborhood
Pride & Economic Development Department Protection
Competitiveness Neighborhood Watch Members:
Tom Behr - Chairperson John Hartley - Chairperson
Bob Filner Valerie Stallings
Ron Roberts George Stevens
Abbe Wolfsheimer

FILE LOCATION: --

COUNCIL ACTION: (Tape location: L170-172; L190-300.)

Testimony taken by Mr. Walter Hall regarding this item:
"which committee has jurisdiction of enforcing encroachment
on public parklands and which committee handles code
enforcement in general. This was referred to the City
Manager.

ITEM-207: (R-92-1008) ADOPTED AS RESOLUTION R-279435

Authorizing the execution of a 7-year lease agreement,
with a 120-day cancellation clause, with City Heights
Community Development Corporation (CHCDC) for the
management of 38 City-owned residential units located
on the 3700 block of Highland Avenue.
(See City Manager Report CMR-92-05. City Heights
Community Area. District-3.)

FILE LOCATION: LEAS-City Heights Community Development
Corporation (CHCDC) LEAS FY92-1

COUNCIL ACTION: (Tape location: C190-381.)

MOTION BY HARTLEY TO ADOPT THE CITY MANAGER'S REPORT AND
APPROVE THE LEASE AGREEMENT. Second by Stevens. Passed by
the following vote: Wolfsheimer-yea, Roberts-not present,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-310: PRESENTATION MADE

Presentation to the Mayor and City Council from Marilyn
Fowler, representing the San Diego Japan Festival.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: G450-547.)

ITEM-330: (O-92-55) INTRODUCED AS AMENDED, TO BE ADOPTED
MARCH 2, 1992

A proposal to amend the Barrio Logan Planned District Ordinance to create a "Redevelopment Subdistrict". The "Redevelopment Subdistrict" includes development regulations to implement the adopted Barrio Logan Redevelopment Plan, and would replace the existing interim Subdistrict "E".

The proposed Planned District Ordinance amendment also constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If adopted by the City, the proposed LCP amendment must be submitted to the California Coastal Commission for review and certification.

The LCP amendment would not become effective until after approval by the California Coastal Commission. (Barrio Logan Community Area. Council District-8.)

Adoption of an Ordinance amending the Barrio Logan Planned District by adding a "Redevelopment Subdistrict" that implements the adopted Barrio Logan Redevelopment Plan.

FILE LOCATION: LAND-Barrio Logan Planned District

COUNCIL ACTION: (Tape location: J480-K073.)

Hearing began 7:20 p.m. and halted 7:35 p.m.

Testimony in favor by Jon and Donna Stockholm.

Testimoy in opposition by Brad Bittner, Julie Ellery.

MOTION BY McCARTY TO INTRODUCE THE ORDINANCE WITH THE FOLLOWING AMENDMENTS: SECTION 103.0902, ITEM 42 MANUFACTURING IS REVISED TO READ ". . . PRIMARILY FROM PREVIOUSLY PREPARED MATERIALS." SECTION 103.0957, LAND USE CLASSIFICATIONS, PARAGRAPH G.1, MANUFACTURING SHOULD READ ". . . EXCLUDES BASIC INDUSTRIAL PROCESSING FROM RAW MATERIALS. ALL INDUSTRIAL ACTIVITY SHALL BE LOCATED WITHIN AN ENCLOSED BUILDING. NO USE, ACTIVITY, NOR PROCESS SHALL PRODUCE VIBRATIONS, NOXIOUS ODORS, OR NOISES THAT ARE PERCEPTIBLE WITHOUT INSTRUMENTS BY THE AVERAGE PERSON AT THE PROPERTY LINES OF A SITE."; TO REVIEW IN SIX MONTHS. Second by Stallings. Passed by the following vote: Wolfsheimer-yea,

Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea,
Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: PRESENTED

A presentation from the City Manager, regarding the
results of the MECRO Contest.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: A051-110.)

* ITEM-S401: (R-92-1216) ADOPTED AS RESOLUTION R-279436

Expressing support for the Shelter Plus Care
application; submitting an application to HUD for
housing assistance for up to 100 participants, for
rental housing assistance for homeless persons with
disabilities (primarily persons who are seriously
mentally ill; have chronic problems with alcohol,
drugs, or both; or have acquired immunodeficiency
syndrome and related diseases).
(See Housing Commission Report dated 2/18/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A133-143.)

CONSENT MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: CONTINUED TO MARCH 3, 1992

(Continued from the meetings of January 28, 1992, Item
332, and February 11, 1992, Item 331; last continued at
Councilmember Roberts' request, to review information
with the City Attorney further, and advise the
Council.)

Appeal of the request of Don Hawthorne & Jim Siler, by
Michel Anderson, for a hearing of an appeal from the

decision of the Planning Commission in denying Coastal Development and Conditional Use Permits CDP/CUP-91-0469, proposing to replace a previously existing garage and guest quarters with a new 792 square-foot, three car garage and a 714 square-foot guest quarters. The subject property totals approximately 12,065 square-feet and is located at 927 Sunset Cliffs Boulevard, in Zone R1-5000, in the Peninsula Community Plan area. The subject property is further described as Lot 14 of Block "L" of Azure Vista, Map-1981.
(CDP/CUP-91-0469. District-2.)

Subitem-A: (R-92-)

Adoption of a Resolution granting or denying the appeal and granting or denying the coastal development permit, with appropriate findings to support Council action.

Subitem-B: (R-92-)

Adoption of a Resolution granting or denying the appeal and granting or denying the conditional use permit, with appropriate findings to support Council action.

FILE LOCATION: SUBITEM-A: PERM-CDP 91-0469; SUBITEM-B:
PERM-CUP 91-0469

COUNCIL ACTION: (Tape location: B500-C189.)

Hearing began at 11:27 a.m. and halted at 11:43 a.m.

Testimony by Matt Peterson and Jennifer Wilson.

MOTION BY ROBERTS TO CONTINUE THE ITEM FOR TWO WEEKS TO ALLOW THE APPLICANT TIME TO WORK OUT A COMPROMISE WITH THE COMMUNITY AND CITY STAFF. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S403:

(Continued from the meetings of February 3 and 4, 1992, Items 400A, B, D, E, H, and I; and February 10, 1992, Item 402B, C, E, and F; last continued at the request of Councilmember Roberts and Mayor O'Connor, for a

revised recommendation from Superior Court, and to review with the Attorney.)

Four actions relative to preparation of or future direction on ballot language for the June 2, 1992 ballot, as follows:
(See City Attorney Reports dated 2/10/91 and 1/31/92.)

Subitem-A: PLACE ON JUNE, 1992 BALLOT

Charter amendment to create an Independent Redistricting Commission.

Subitem-B: REFERRED TO CITY ATTORNEY

Restrictions on City franchises.

Subitem-C: REFERRED TO CITY ATTORNEY

Appointment and removal of Port District Commissioners.

Subitem-D: CONTINUED TO FEBRUARY 24, 1992

Charter amendment prohibiting the City from doing business with anonymous parties.

FILE LOCATION: Subitem-A: MEET; Subitem-B&C: AGENDA;
Subitem-D: --

COUNCIL ACTION: (Tape location: I502-J291.)

MOTION BY ROBERTS TO PLACE SUBITEM-A ON THE JUNE, 1992 BALLOT, INCLUDING LANGUAGE FOR THE ELECTIONS ORDINANCE TO BE DISCUSSED BY COUNCIL ON FEBRUARY 24, 1992. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea

MOTION BY HARTLEY TO REFER SUBITEM-B TO THE CITY ATTORNEY FOR CONSIDERATION FOR THE NOVEMBER, 1992 BALLOT AND TO REFER SUBITEM-C TO THE CITY ATTORNEY AND LEGISLATIVE ANALYST FOR CLARIFICATION OF LANGUAGE TO INTRODUCE LEGISLATION IN SACRAMENTO FOR THE STATE ACT GOVERNING THE PORT COMMISSION. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

MOTION BY FILNER TO DIRECT THE CITY ATTORNEY TO PREPARE A DRAFT ORDINANCE AND BRING BACK TO COUNCIL ON FEBRUARY 24, 1992 FOR APPROVAL. TO INCLUDE DIRECT AND PRECISE EXAMPLES EXPLAINING LEGAL RAMIFICATIONS SHOULD A COMPANY FAIL TO DISCLOSE ALL PARTIES INVOLVED AND THE CITY HAS TO RESCIND THE TRANSACTION. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: PLACE ON JUNE, 1992 BALLOT

(Continued from the meeting of February 10, 1992, Item S406, at Councilmember Filner's request, for further review to be certain that this should be placed on the ballot.)

In the matter of a proposed City Charter Amendment for the June 1992 ballot, regarding responsibilities of the City Attorney and City Manager.
(See City Attorney Report dated 2/10/92.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: J231-478; K-082-107.)

Motion by Behr to place this issue on June, 1992 Ballot.
Second by Stevens. Failed by the following vote:
Yea-3,4,5,M; Nay-1,6,7,8; Not present-2.

MOTION BY BEHR TO PLACE THIS ISSUE ON JUNE, 1992 BALLOT WITH LANGUAGE TO READ, "...CITY MANAGER AND ALL NON-MANAGERIAL OFFICERS OF THE CITY SHALL INFORM THE MANAGER...." Passed by the following vote: Wolfsheimer-nay, Roberts-yea, Hartley-yea, Stevens-yea, Behr-yea, Stallings-nay, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S405: CONTINUED TO FEBRUARY 24, 1992

(Continued from the meeting of February 10, 1992, Item S409, at Councilmember Roberts' request, to allow sufficient time for public review.)

In the matter of continued discussion of proposed City Charter amendments, regarding parks, for the June 1992 ballot.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: K107-L157.)

Motion by Roberts to approve Issue No. 1 of the City Attorney's letter dated February 7, 1992 relating to adding the phrase "open space". Second by Wolfsheimer. Failed by the following vote: Yea-1,2,4,6; Nay-3,7; Not present-5,8,M.

MOTION BY STALLINGS TO CONTINUE TO FEBRUARY 24, 1992 FOR CLARIFICATION OF LANGUAGE AND FURTHER REVIEW. Second by Stevens. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-not present, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-not present.

ITEM-S406: (R-92-952) ADOPTED AS RESOLUTION R-279433

(Continued from the meeting of February 10, 1992, Item 105, at the City Manager's request, for a re-evaluation to determine if this contract can be deferred until the next fiscal year.)

Awarding a contract to Clairemont Equipment Company for the purchase of 17 non-symmetrical screw type air compressors for a total cost of \$194,772.06, including tax; authorizing the expenditure of not to exceed \$194,772.06 from Fund No. 50031, Department No. 8201, Object Account No. 6013, and Job Order No. 88092 for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.

(BID-B2804/92)

Aud. Cert. 9200569.

FILE LOCATION: CONT-PURCHASE-Clairemont Equipment Company
CONT FY92-1

COUNCIL ACTION: (Tape location: C382-395.)

MOTION BY MCCARTY TO ADOPT. Second by Behr. Passed by the following vote: Wolfsheimer-yea, Roberts-not present, Hartley-yea, Stevens-yea, Behr-yea, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-S407: (R-92-1157) ADOPTED AS RESOLUTION R-279437

(Continued from the meeting of February 10, 1992, Item 202, at the request of the City Manager and City Council, for a report from the City Manager detailing the seven items that will be funded, the prioritization and reasons for funding at this time.)

Authorizing the execution of Amendment No. 9 to the Agreement with James M. Montgomery, Consulting Engineers, Inc., for Program Management Services for the Clean Water Program; authorizing the City Auditor and Comptroller to cancel Auditor's Certificate No. AC 9000565 for Amendment No. 3 with James M. Montgomery, Consulting Engineers, Inc., and to transfer \$480,000 from Fund 41509, CIP-46-147.0 to Fund 41509, CIP-45-910.2, Clean Water Program Management and Administration, to apply to Amendment No. 9, Task 7.9 of the agreement with James M. Montgomery, Consulting Engineers, Inc.; authorizing the City Auditor and Comptroller to cancel Purchase Order No. 0201513 for Amendment No. 4 with James M. Montgomery, Consulting Engineers, Inc., and to transfer \$609,000 to apply to Amendment No. 9, Task 7.9 of the Agreement with James M. Montgomery, Consulting Engineers, Inc.; authorizing the expenditure of redistributed funds from Amendment No. 9, Task 7.9 for the purpose of providing funds for the above project.

CITY MANAGER SUPPORTING INFORMATION: On March 22, 1988, the City Council authorized the City Manager to enter into the Agreement with James M. Montgomery, Consulting Engineers, Inc. for Program Management Services for the Clean Water Program. The Agreement has been subsequently modified by Amendments No. 1 through No. 8.

This Amendment No. 9 will redistribute savings realized from various tasks under Amendments No. 3 and No. 4 to Task 7.9, Special Services, under Amendment No. 7 for items such as:

1. Groundwater Recharge/Recovery Study
2. River Crossing Scour Analysis
3. Pomerado Water Reclamation Plant Project Report
4. Fair Cost Estimated for Design Engineering
5. Cultural Resource Evaluation Study
6. Historic Properties Background Study
7. South Bay Sewers Pre-design

WU-CWP-92-030.

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FILE LOCATION: MEET CCONT-FY92-1

COUNCIL ACTION: (Tape location: D028-051.)

MOTION BY McCARTY TO ADOPT. Second by Stallings. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Stevens-yea, Behr-nay, Stallings-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Chair Person Wolfsheimer at 8:35 p.m.

File Location: MINUTES